

PATENT  
Attorney Docket No. 101.0056-16000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Confirmation No.: 4856  
Gary K. Michelson )  
Serial No.: 10/664,776 ) Group Art Unit: 3733  
Filed: September 17, 2003 ) Examiner: Annette R. Reimers  
For: SINGLE-LOCK ANTERIOR )  
CERVICAL PLATE AND METHOD )

RECEIVED  
CENTRAL FAX CENTER  
AUG 04 2006

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REPLY TO OFFICE ACTION**

In reply to the Office Action of June 30, 2006, please consider the following remarks.

In the Office Action, the Examiner rejected claims 8-13, 15-19, and 24-27 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,578,034 to Estes ("Estes"). Applicant respectfully traverses the Examiner's rejection. Independent claim 8 recites a system including "a locking element having a lower-facing surface adapted to cover a portion of said head of only a single one of said bone screws to prevent the inadvertent backing out of said single bone screw from one of said bone screw receiving holes." Estes teaches a collar 16 having a bottom end 32. (See, e.g., Estes, Fig. 1). Estes does not teach or suggest a locking element having a lower surface adapted to cover a portion of the head of a single bone screw as recited in independent claim 8 of Applicant's claimed invention.

Independent claim 24 recites a method including the step of "inserting a bone screw having a head having an upper facing surface into a position in one of the bone screw receiving holes that permits the locking element to cover a portion the upper facing surface of the head of the bone screw after the bone screw has been inserted into the plate." Estes does not teach or suggest inserting a bone screw into a position in one of the bone screw receiving holes that permits the locking element to cover a portion of the upper facing surface of the bone screw head after the screw has been inserted into the plate as recited in independent claim 24 of Applicant's claimed

Reply to Office Action 8-4-06.doc